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Washington, Friday, October 9, 1936

PRESIDENT OF THE UNITED STATES.

CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT

Montana

By the President of the United States of America

A PROCLAMATION

WHEREAS the Acting Secretary of Agriculture has submitted to me for approval the following regulation adopted by him under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755):

REGULATION DESIGNATING AS CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT CERTAIN LANDS AND WATERS ADJACENT TO AND IN THE VICINITY OF THE RED ROCK LAKES MIGRATORY WATERFOWL REFUGE, MONTANA.

I, M. L. Wilson, Acting Secretary of Agriculture, after consideration of the exigencies of the migratory waterfowl and other migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, resident upon and resorting to the Red Rock Lakes Migratory Waterfowl Refuge in Beaverhead County, Montana, established by Executive Order No. 7023 of April 22, 1935, and enlarged by Executive Order No. 7172 of September 4, 1935, have determined that to allow the hunting, taking, capturing, or killing of such migratory waterfowl or other migratory birds, or the attempt to hunt, take, capture, or kill such migratory waterfowl or other migratory birds, or the taking of their nests or eggs in or on any lands or waters in the said County embraced within the exterior boundary hereinafter described and designated "Area closed to hunting" on the diagram hereto attached and made a part of this regulation, which said lands and waters at the date hereof are adjacent to or in the vicinity of, but not incorporated in, the said Red Rock Lakes Migratory Waterfowl Refuge, would defeat the protection sought to be extended to such migratory waterfowl and other migratory birds by the establishment of the said refuge and, therefore, would be incompatible with the terms of the said Convention:

WHEREFORE, by virtue of authority vested in me by the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), and in extension of Regulation 4 of the Migratory Bird Treaty Act Regulations, the aforesaid lands and waters are designated as a closed area and the hunting, taking, capturing, or killing of such migratory waterfowl or other migratory birds, or the attempt to hunt, take, capture, or kill such migratory waterfowl or other migratory birds, or the taking of their nests or eggs therein or thereon is not permitted.

All lands and waters within the aforesaid boundaries withdrawn, set apart, and designated, in part, as the Red Rock Lakes Migratory Waterfowl Refuge by the aforesaid Executive Orders are closed by virtue of said Orders, and the Acts

of Congress thereunto appertaining, to entry for any purpose except in accordance with regulations of the Secretary of Agriculture, and all hunting either of migratory or non-migratory birds or wild life of any kind on said lands and waters is forbidden by law.

Description of the Boundary Above Referred to Principal Meridian

Beginning at the northwest corner of sec. 35, T. 15 S., R. 2 W.,

Thence from said initial point,

Easterly on line between secs. 26 and 35, and secs. 25 and 36 to the east boundary of T. 13 S., R. 2 W.;

Thence on section lines in T. 13 S., R. 1 W.,

Easterly between secs. 30 and 31;

Southerly between secs. 31 and 32 to the south boundary of T. 13 S., R. 1 W.;

Thence easterly on said boundary to the one-quarter corner of secs. 32 and 5;

Thence on subdivision lines of sec. 5, T. 14 S., R. 1 W.,

Southerly to the center one-quarter corner;

Easterly to the one-quarter corner of secs. 4 and 5;

Thence northerly on line between secs. 4 and 5 to the north one-sixteenth corner of secs. 4 and 5;

Thence on subdivisional lines in sec. 4,

Easterly on south boundary of lots 4, 3, and 2;

Northerly between lots 1 and 2 to the east one-sixteenth corner of sec. 4 on the north boundary of T. 14 S., R. 1 W.;

Thence westerly on said boundary line to the southwest corner of sec. 33, T. 13 S., R. 1 W.;

Thence in T. 13 S., R. 1 W., northerly on line between secs. 32 and 33, and secs. 28 and 29, to the one-quarter corner thereof;

Thence on subdivisional lines in sec. 28,

Easterly to the center one-quarter corner;

Southerly to the one-quarter corner of secs. 28 and 33;

Thence on section lines,

Easterly between secs. 28 and 33;

Northerly between secs. 27 and 28 to the south one-sixteenth corner thereof;

Thence on subdivisional lines in sec. 27,

Easterly to the southwest one-sixteenth corner;

Southerly to the west one-sixteenth corner of secs. 27 and 34;

Thence easterly on lines between secs. 27 and 34, 26 and 35, and secs. 25 and 36 to the east boundary of T. 13 S., R. 1 W.;



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Thence on subdivisional lines in sec. 12, T. 14 S., R. 1 W.,

Westerly to the northeast one-sixteenth corner;
Southerly to the southeast one-sixteenth corner;
Easterly to the east boundary of T. 14 S., R. 1 W.;

Thence southerly on east boundary of T. 14 S., R. 1 W., to the north one-sixteenth corner of secs. 13 and 18;

Thence on subdivisional lines in sec. 18, T. 14 S., R. 1 E.,

Easterly to the north center one-sixteenth corner;
Northerly to the one-quarter corner of secs. 7 and 18;

Thence on section lines,

Easterly between secs. 7 and 18;
Southerly between secs. 17 and 18 to the one-quarter corner thereof;

Thence westerly on center line through sec. 18 to the west boundary of T. 14 S., R. 1 E.;

Thence on subdivisional lines in sec. 13 T. 14 S., R. 1 W.,

Westerly to the west center one-sixteenth corner;
Southerly to the southwest one-sixteenth corner;
Easterly to the southeast one-sixteenth corner;
Southerly to the east one-sixteenth corner of secs. 13 and 24;

Thence easterly on line between secs. 13 and 24 to the east boundary of T. 14 S., R. 1 W.;

Thence southerly on east boundary of T. 14 S., R. 1 W., to the south one-sixteenth corner of secs. 25 and 30;

Thence on subdivisional lines in sec. 25 T. 14 S., R. 1 W.,

Westerly to the southeast one-sixteenth corner;
Northerly to the east center one-sixteenth corner;
Westerly to the one-quarter corner of secs. 25 and 26;

Thence on subdivisional lines in sec. 26,

Westerly to the east center one-sixteenth corner;
Northerly to the east one-sixteenth corner of secs. 23 and 26;

Thence on subdivisional lines in sec. 23,

Northerly to the southeast one-sixteenth corner;
Westerly to the south center one-sixteenth corner;
Northerly to the north center one-sixteenth corner;
Westerly to the meander corner of Lots 1 and 2, on the easterly shore of Upper Red Rock Lake, and continuing southwesterly with the meanders thereof to the meander corner of secs. 22 and 23;

Thence southerly on line between secs. 22 and 23 to the south one-sixteenth corner thereof;

Thence on subdivisional lines in sec. 23,

Easterly to the southwest one-sixteenth corner;
Southerly to the west one-sixteenth corner of secs. 23 and 26;

Thence on subdivisional lines in sec. 26,

Southerly to the northwest one-sixteenth corner;
Westerly to the north one-sixteenth corner of secs. 26 and 27;

Thence on subdivisional lines in sec. 27,

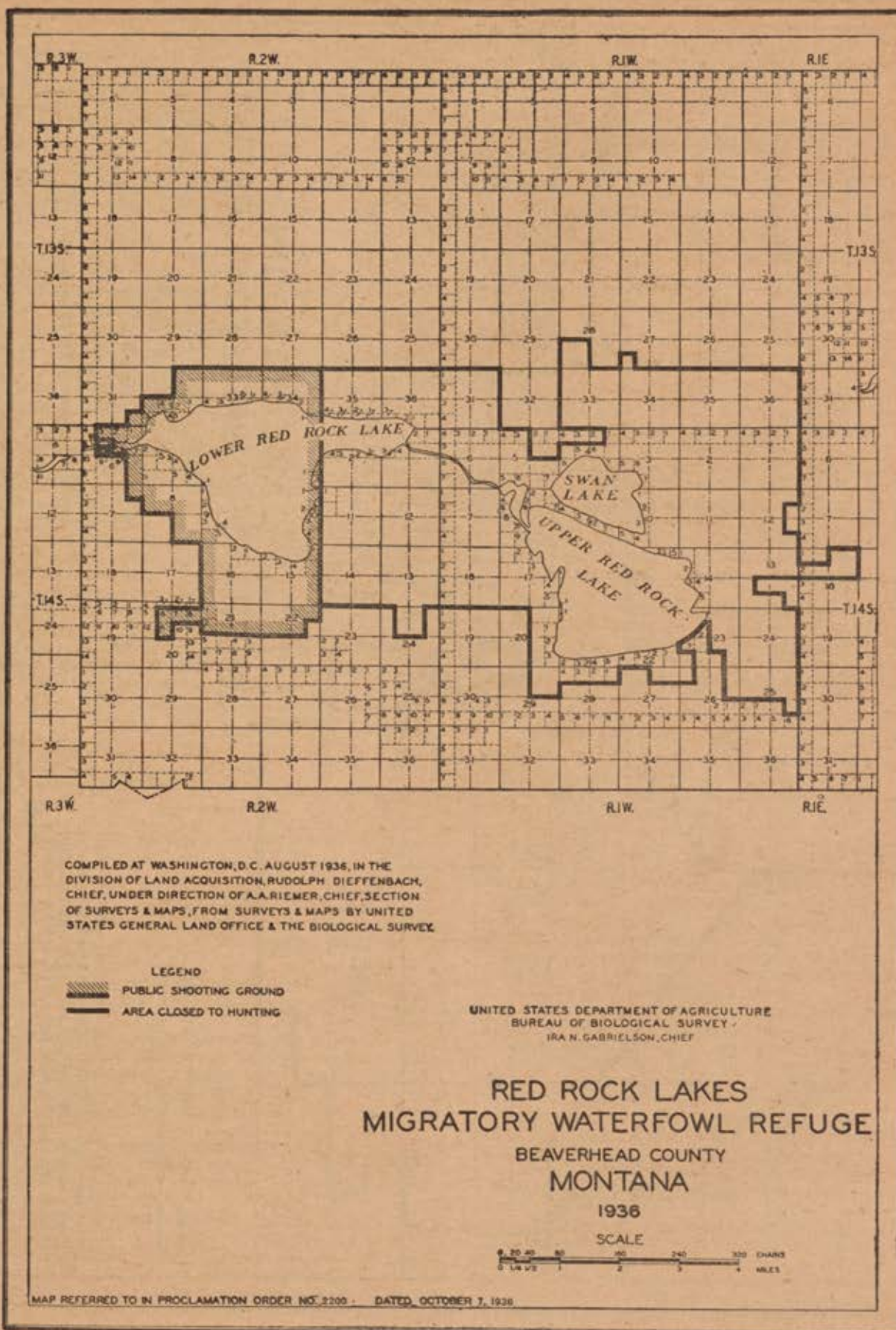
Westerly to the north center one-sixteenth corner;
Northerly to the one-quarter corner of secs. 22 and 27;

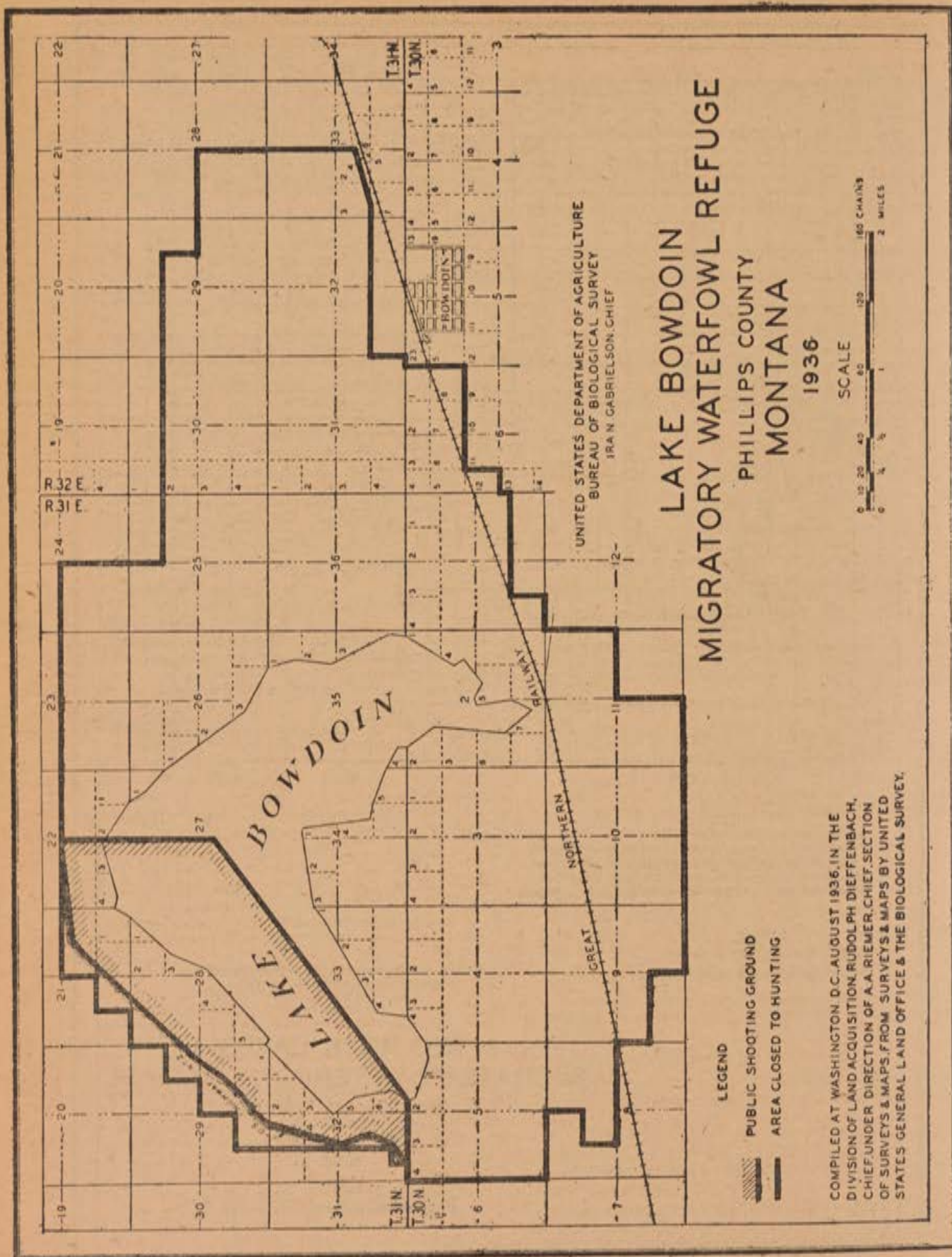
Thence on section lines,

Westerly between secs. 22 and 27;
Southerly between secs. 27 and 28 to the north one-sixteenth corner thereof;

Thence westerly on subdivisional line through sec. 28 to the north one-sixteenth corner of secs. 28 and 29;

Thence southerly on line between secs. 28 and 29 to the east one-quarter corner of sec. 29;





Thence on subdivisional lines in sec. 29,

Westerly to the center one-quarter corner;

Northerly to the one-quarter corner of secs. 20 and 29;

Thence northerly on subdivisional line through sec. 20 to the one-quarter corner of secs. 17 and 20;

Thence westerly on line between secs. 17 and 20, and secs. 18 and 19 to the west boundary of T. 14 S., R. 1 W.;

Thence westerly between secs. 13 and 24, T. 14 S., R. 2 W., to the east one-sixteenth corner thereof;

Thence on subdivisional lines in sec. 24,

Southerly to the east center one-sixteenth corner;

Westerly to the west center one-sixteenth corner;

Northerly to the west one-sixteenth corner of secs. 13 and 24;

Thence on section lines,

Westerly between secs. 13 and 24, and secs. 14 and 23;

Northerly between secs. 14 and 15, 10 and 11, and secs. 2 and 3 to the meander corner thereof, located on the southeast bank of Lower Red Rock Lake;

Thence northerly across Lower Red Rock Lake, passing into T. 13 S., R. 2 W., to the meander corner of secs. 34 and 35, located on the north bank of said lake;

Thence northerly on line between secs. 34 and 35 to place of beginning.

AND WHEREAS upon consideration it appears that approval of the foregoing regulation will tend to effectuate the purposes of the aforesaid Convention and the Migratory Bird Treaty Act of July 3, 1918:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing regulation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this seventh day of October, in the year of our Lord nineteen hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

WILHELM J. CARR,

Acting Secretary of State.

[No. 2200]

[F. R. Doc. 2826—Filed, October 8, 1936; 12:03 p. m.]

EXECUTIVE ORDER

AUTHORIZING THE PURCHASE OF CERTAIN LANDS IN THE JEFFERSON NATIONAL FOREST AND ALLOCATING FUNDS THEREFOR

WHEREAS certain privately-owned lands hereinafter described are situated within the Jefferson National Forest and interspersed among the forest lands owned by the United States; and

WHEREAS it is necessary that work and improvements be performed and made upon such privately-owned lands in order that the forest lands owned by the United States in the said National Forest may be properly protected from forest fires, floods and soil erosion, plant pests and disease, etc.; and

WHEREAS the purchase of such lands by the United States and the performance of work thereon as above indicated will provide employment for citizens of the United States who are unemployed:

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me by the Emergency Relief Appropriation Act of 1935 (49 Stat. 115), the Secretary of Agriculture is hereby authorized to purchase the tract or tracts of land known as the Peaks of Otter, consisting of approximately 673 acres in the Jefferson National Forest, near Bedford, Virginia; and

the sum of \$60,000 of the funds appropriated or made available by that Act is hereby allocated to the Secretary of Agriculture for the purchase of the said lands. Such lands may be acquired subject to reservations not incompatible with the purposes of acquisition as indicated herein.

The sum herein allocated shall be transferred from the appropriation made by the said Emergency Relief Appropriation Act of 1935 to the Director, Emergency Conservation Work, for immediate transfer to the Department of Agriculture for the purchase of the said lands by the Secretary of Agriculture.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

October 7, 1936.

[No. 7466]

[F. R. Doc. 2819—Filed, October 8, 1936; 11:03 a. m.]

EXECUTIVE ORDER

TRANSFERRING CERTAIN LANDS TO THE CONTROL AND JURISDICTION OF THE SECRETARY OF THE NAVY

California

By virtue of and pursuant to the authority vested in me by the act of July 11, 1919, 41 Stat. 131, 132 (U. S. C., title 10, sec. 1274), and otherwise, and in the interest of the national defense, it is ordered that there be, and there is hereby, transferred to the control and jurisdiction of the Secretary of the Navy, the Military Reservation known as Benton Field (Army Air Corps Flying Field) situated within the city limits of Alameda, Alameda County, State of California, consisting of two (2) parcels, more particularly described as follows:

Parcel No. 1

Beginning at Station No. 179 on the Peralta Grant Line, as said Station and Line are shown on that certain map entitled, in part: "Map of Alameda Marsh Land" filed July 30, 1900, in the office of the County Recorder of Alameda County, in Map Book 25, pages 74 to 78, and running thence, by true bearings:

Along said Peralta Grant, the following nine (9) courses:

1. South twenty-nine degrees thirty minutes west (S. 29° 30' W.) a distance of seven hundred thirty-two and sixty hundredths (732.60) feet to Station 180;

2. south fifty-four degrees fifteen minutes west (S. 54° 15' W.) a distance of three hundred thirty and no hundredths (330.00) feet to Station 181;

3. south twenty-nine degrees zero minutes west (S. 29° 00' W.) a distance of four hundred eighty-one and eighty hundredths (481.80) feet to Station 182;

4. south twelve degrees zero minutes west (S. 12° 00' W.) a distance of three hundred thirty-two and sixty-four hundredths (332.64) feet to Station 183;

5. south fifteen degrees zero minutes east (S. 15° 00' E.) a distance of five hundred forty-one and twenty hundredths (541.20) feet to Station 184;

6. south twenty-one degrees forty-five minutes east (S. 21° 45' E.) a distance of four hundred five and ninety hundredths (405.90) feet to Station 185;

7. south forty-one degrees zero minutes east (S. 41° 00' E.) a distance of three hundred forty-nine and eighty hundredths (349.80) feet to Station 186;

8. south twenty-seven degrees forty-five minutes east (S. 27° 45' E.) a distance of four hundred fifteen and eighty hundredths (415.80) feet to Station 187;

9. south seven degrees fifty minutes thirty seconds east (S. 7° 50' 30" E.) a distance of one hundred seventeen and twenty-five hundredths (117.25) feet to a point in the northwesterly boundary line of tide land Lot No. 6 in Section 10, Township 2 south, Range 4 west, Mount Diablo Base and Meridian;

10. thence south forty-five degrees zero minutes west (S. 45° 00' W.) a distance of two thousand six hundred ninety-six and no hundredths (2,696.00) feet to the most

westerly corner of tide land Lot No. 16 in Section 9, said Township and Range;

11. thence south sixteen degrees two minutes west (S. 16° 02' W.) a distance of seven thousand four hundred fifty-seven and twenty-four hundredths (7,457.24) feet, more or less, to a point in the southwest boundary line of the City of Alameda;

12. thence north twenty-seven degrees fifty minutes west (N. 27° 50' W.) along said southwest boundary line of the City of Alameda, a distance of five thousand two hundred sixty-one and forty-two hundredths (5,261.42) feet to a point;

13. thence north sixteen degrees two minutes east (N. 16° 02' E.) a distance of nine thousand three hundred forty-four and thirteen hundredths (9,344.13) feet, more or less, to a point in the southerly right of way line of the Central Pacific Railway Company (Southern Pacific Railroad Company, Lessee);

thence along the southerly right of way line of said Railroad the following three (3) courses:

14. south seventy-three degrees fifty-eight minutes east (S. 73° 58' E.) a distance of one thousand four hundred fifty and no hundredths (1,450.00) feet to the point of beginning of a curve to the left having a radius of four thousand five hundred twenty-eight and eight hundredths (4,528.08) feet;

15. along the arc of said curve to the left having a radius of four thousand five hundred twenty-eight and eight hundredths (4,528.08) feet, a distance of nine hundred fifty-four and ninety-four hundredths (954.94) feet to the point of tangency of said curve;

16. south eighty-six degrees three minutes east (S. 86° 03' E.) along the tangent to said curve a distance of one thousand seven hundred fifteen and twenty-five hundredths (1,715.25) feet to a point;

17. thence due south a distance of six hundred fifty and seventy-five hundredths (650.75) feet to the point of beginning.

Tract as described contains an area of one thousand twenty-five and seventy-eight hundredths (1,025.78) acres, more or less.

Parcel No. 2

Beginning at a point in the northerly right of way line of the Central Pacific Railway Company (Southern Pacific Railroad Company, Lessee), said point bearing due north and distant nine hundred twenty-six and twenty-five hundredths (926.25) feet from Station 179 on the Peralta Grant Line, being the point of beginning of Parcel No. 1, and running thence, by true bearings:

Along the northerly right of way line of said Railroad the following eight (8) courses:

1. South eighty-eight degrees twenty-one minutes west (S. 88° 21' W.) a distance of one thousand and no hundredths (1,000.00) feet to a point;

2. north eighty-nine degrees two minutes west (N. 89° 02' W.) a distance of four hundred fifty-one and fourteen hundredths (451.14) feet to a point;

3. north eighty-four degrees five minutes west (N. 84° 05' W.) a distance of five hundred thirty-five and ninety-five hundredths (535.95) feet to a point;

4. north eighty degrees fourteen minutes west (N. 80° 14' W.) a distance of two hundred sixty-one and forty hundredths (261.40) feet to a point;

5. north nine degrees forty-six minutes east (N. 9° 46' E.) a distance of sixty and no hundredths (60.00) feet to a point;

6. north fifty-eight degrees forty-nine minutes west (N. 58° 49' W.) a distance of eighty-three and no hundredths (83.00) feet to a point;

7. south thirty-one degrees thirty-six minutes west (S. 31° 36' W.) a distance of seventy-four and thirteen hundredths (74.13) feet to a point;

8. north seventy-three degrees fifty-eight minutes west (N. 73° 58' W.) a distance of one thousand seven hundred sixteen and sixty-six hundredths (1,716.66) feet to a point;

9. thence north sixteen degrees two minutes east (N. 16° 02' E.) a distance of four hundred twenty-four and six tenths (424.6) feet, more or less, to a point in the northerly boundary line of the City of Alameda;

thence along the said northerly boundary line of the City of Alameda, the following four (4) courses:

10. south seventy-four degrees thirty-six minutes six seconds east (S. 74° 36' 06" E.) a distance of six hundred seven and thirty-nine hundredths (607.39) feet to a point;

11. south eighty degrees twelve minutes forty-eight seconds east (S. 80° 12' 48" E.) a distance of one thousand three hundred ninety-four and three tenths (1,394.3) feet to a point;

12. south eighty-nine degrees three minutes seven seconds east (S. 89° 03' 07" E.) a distance of one thousand four hundred sixty-two and seven tenths (1,462.7) feet to a point;

13. north seventy-six degrees sixteen minutes twenty-seven seconds east (N. 76° 16' 27" E.) a distance of four hundred sixty-four and eighty-two hundredths (464.82) feet to a point;

14. thence due south a distance of six hundred eighty-seven and forty-one hundredths (687.41) feet to the point of beginning.

The tract as described contains an area of forty-nine and ninety-two hundredths (49.92) acres, more or less.

The total area of the Reservation, including Parcels Nos. 1 and 2, is one thousand seventy-five and seventy hundredths (1,075.70) acres, more or less, all as shown on Map No. 6757-108, entitled: "Benton Field, Alameda County, State of California, Boundary Map", scale 1"=500', dated July, 1933.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE

October 7, 1936.

[No. 7467]

[F. R. Doc. 2818—Filed, October 8, 1936; 11:03 a. m.]

DEPARTMENT OF AGRICULTURE

Bureau of Biological Survey.

ORDER PERMITTING AND REGULATING THE HUNTING OF MIGRATORY WATERFOWL AND COOTS WITHIN DESIGNATED AREA OF THE LAKE BOWDOIN MIGRATORY WATERFOWL REFUGE, MONTANA

Pursuant to regulations 1 and 8 of the regulations of the Secretary of Agriculture of May 7, 1930, governing the administration of Federal wildlife refuges, it is hereby ordered that migratory waterfowl (except those species not permitted to be taken under the Migratory Bird Treaty Act regulations) and coots may be taken during the period from October 10, 1936, to November 8, 1936, both dates inclusive, if permitted by State law, within the area of Lake Bowdoin Migratory Waterfowl Refuge, in Phillips County, Montana, established by Executive Order No. 7295, of February 14, 1936, embraced within the exterior boundary hereinafter described, and designated "Public Shooting Ground" on the diagram¹ hereto attached and made a part of this order, subject to the following conditions and restrictions:

1. *Public Shooting Ground.*—All lands and waters of the aforesaid Lake Bowdoin Migratory Waterfowl Refuge embraced within the following boundary, and designated "Public Shooting Ground" on the diagram hereto attached and made a part of this order, are hereby designated as a public shooting ground and may be entered without permit for the purpose of hunting in accordance with this order:

BOUNDARY

Beginning at the meander corner of sec. 5, T. 30 N., R. 31 E., and sec. 32, T. 31 N., R. 31 E., principal meridian on the southwest short of Lake Bowdoin.

¹ Page 1802.

Thence, from initial point,

Westerly on line between secs. 5 and 32 to an intersection with the southeasterly right-of-way boundary of U. S. Highway No. 2;

Thence passing within T. 31 N., R. 31 E.,

Northeasterly on said highway right-of-way boundary to the center one-quarter corner of sec. 22, T. 31 N., R. 31 E.;

Thence southerly on the north and south center line of sec. 22 to the meander corner on the north shore of Lake Bowdoin;

Thence continuing in said Lake,

Southerly approximately 60.00 chains ($\frac{3}{4}$ mile);
Southwesterly approximately 190.00 chains ($2\frac{1}{2}$ miles) to place of beginning.

2. *Fires and Camping.*—The lighting of fires for any purpose or camping on any area of the refuge except under permit is prohibited, and special care must be taken to prevent lighted matches, cigars or cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

3. *Hunting Dogs.*—Each person hunting on the public shooting ground will be permitted to take his hunting dogs, not to exceed two in number, upon such area for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting ground or elsewhere on the refuge.

4. *Exhibition of licenses and bag.*—Each person entering the refuge for the purpose of hunting shall, when requested by the officer in charge, or his deputy, produce for inspection his State hunting license and a properly validated Federal Migratory Bird Hunting Stamp, and whenever requested by any such officer shall exhibit for inspection all waterfowl and coots killed by him. Failure to comply with any of the conditions, restrictions, or requirements of these regulations will be sufficient cause for removal of such person from the refuge and for refusing him future hunting privileges, if any, on the refuge.

5. *Defacement or Destruction of Public Property.*—The destruction, injury, defacement, removal, or disturbance in any manner of any public building, notice, sign, signboard, equipment, fence, dyke, dyke embankment, dam, bridge, or other structure, or any tree, flower, vegetation, or bird other than migratory waterfowl and coots permitted to be killed hereunder, or other wildlife, or of any other public property of any kind or nature is prohibited by law.

In testimony whereof I have hereunto set my hand and official seal this 7th day of October 1936.

[SEAL]

H. A. WALLACE, *Secretary.*

[F. R. Doc. 2815—Filed, October 7, 1936; 2:22 p. m.]

ORDER PERMITTING AND REGULATING THE HUNTING OF MIGRATORY WATERFOWL AND COOTS WITHIN DESIGNATED AREA OF THE RED ROCK LAKES MIGRATORY WATERFOWL REFUGE, MONTANA

Pursuant to regulations 1 and 8 of the regulations of the Secretary of Agriculture of May 7, 1930, governing the administration of Federal wildlife refuges, it is hereby ordered that migratory waterfowl (except those species not permitted to be taken under the Migratory Bird Treaty Act Regulations) and coots, may be taken during the period from October 10, 1936, to November 8, 1936, both dates inclusive, if permitted by State law, within the area of Red Rock Lakes Migratory Waterfowl Refuge, in Beaverhead County, Montana, established by Executive Order No. 7023, of April 22, 1935, as enlarged by Executive Order No. 7172, of September 4, 1935, embraced within the exterior boundary hereinafter described, and designated "Public Shooting Ground" on the diagram hereto attached and made a part of this Order, subject to the following conditions and restrictions:

1. *Public Shooting Ground.*—All lands and waters of the aforesaid Red Rock Lakes Migratory Waterfowl Refuge embraced within the following boundary, and designated "Public Shooting Ground" on the diagram hereto attached and made a part of this Order, are hereby designated as a public shooting ground, and may be entered without permit for the purpose of hunting in accordance with this Order:

BOUNDARY

Beginning at the northeast corner of sec. 34, T. 13 S., R. 2 W.

Thence from initial point,

Southerly on line between secs. 34 and 35 to the meander corner thereof, on the north shore of Lower Red Rock Lake;

Thence southerly across Lower Red Rock Lake to the meander corner of secs. 2 and 3, T. 14 S., R. 2 W., located on the south shore of said lake;

Thence continuing on section lines in T. 14 S., R. 2 W.,

Southerly between secs. 2 and 3, 10, and 11, 14, and 15, and secs. 22 and 23 to the north one-sixteenth corner thereof;

Thence on subdivisional lines in sec. 22,

Westerly to the northeast one-sixteenth corner; Southerly to the east center one-sixteenth corner; Westerly to the one-quarter corner of secs. 21 and 22;

Thence on subdivisional line in sec. 21;

Westerly to the southwest corner of lot 2, sec. 21;

Thence northerly on line between secs. 20 and 21 to the southeast corner of lot 8, sec. 20;

Thence on subdivisional lines in sec. 20;

Westerly between lots 8 and 9 and lots 7 and 10;

Southerly between lots 10 and 11;

Westerly on south boundary of lot 11;

Northerly between lots 11 and 12 and lots 5 and 6;

Easterly between lots 3 and 6, 2 and 7, and lots 1 and 8 to the southeast corner of lot 1, sec. 20;

Thence continuing on section lines,

Northerly between secs. 20 and 21, and secs. 16 and 17;

Easterly between secs. 8 and 17 to the one-quarter corner thereof;

Thence on subdivisional lines in sec. 8,

Northerly to the center one-quarter corner;

Westerly to the one-quarter corner of secs. 7 and 8;

Thence northerly on line between secs. 7 and 8 to the north one-sixteenth corner thereof;

Thence on subdivisional lines in sec. 7,

Westerly to the northeast one-sixteenth corner;

Northerly to the east one-sixteenth corner between secs. 6 and 7;

Thence on subdivisional lines in sec. 6;

Northerly to the southwest corner of lot 7;

Westerly on south boundary of lots 8 and 9;

Northerly between lots 5 and 9 to south bank of Red Rock River;

Thence easterly with south bank meanders of said river to the northeast corner of lot 9, on said river bank;

Thence northerly across Red Rock River to the north bank and continue on subdivisional line between lots 2 and 6 to the northeast corner of lot 6;

Westerly between lots 3 and 6;

Northerly between lots 3 and 4 to the north boundary of T. 14 S., R. 2 W.,

Thence easterly on said boundary to the northeast corner of lot 2, sec. 6;

Thence on subdivisional lines of sec. 31 in T. 13 S., R. 2 W.,

Northerly to the southeast one-sixteenth corner;
Easterly to the south one-sixteenth corner of secs. 31 and 32;

Thence northerly on line between secs. 31 and 32 to the one-quarter corner thereof;

Thence on subdivisional lines in sec. 32,

Easterly to the center one-quarter corner;

Northerly to the one-quarter corner between secs. 29 and 32;

Thence easterly on line between secs. 29 and 32, 28 and 33, and secs. 27 and 34 to place of beginning.

2. *Fires and Camping.*—The lighting of fires for any purpose or camping on any area of the refuge except under permit is prohibited, and special care must be taken to prevent lighted matches, cigars, or cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

3. *Hunting Dogs.*—Each person hunting on the public shooting ground will be permitted to take his hunting dogs, not to exceed two in number, upon such area for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting ground or elsewhere on the refuge.

4. *Exhibition of Licenses and Bag.*—Each person entering the refuge for the purpose of hunting shall, when requested by the officer in charge, or his deputy, produce for inspection his State hunting license and a properly validated Federal Hunting Stamp, and whenever requested by any such officer shall exhibit for inspection all waterfowl and coots killed by him; and his failure to comply with any of the conditions, restrictions, or requirements of these regulations will be sufficient cause for his removal from the refuge and for refusal of future hunting privileges, if any, on the refuge.

5. *Defacement or Destruction of Public Property.*—The destruction, injury, defacement, removal, or disturbance in any manner of any public building, notice, sign, signboard, equipment, fence, dyke, dyke embankment, dam, bridge, or other structure, or any tree, flower, vegetation, or any animal or bird other than migratory waterfowl and coots permitted to be killed hereunder, or other wildlife, or of any other public property of any kind or nature is prohibited by law.

In testimony whereof I have hereunto set my hand and official seal this 7th day of October 1936.

[SEAL]

H. A. WALLACE, *Secretary.*

[F. R. Doc. 2806—Filed, October 7, 1936; 12:15 p. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 2nd day of October A. D. 1936.

[Docket No. BMC 50475]

APPLICATION OF LEON L. FAIRLEY, INC., FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Leon L. Fairley, Inc., of 78 King Street, Troy, N. Y., for a Permit (Form BMC 10, New Operation), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Beer and General Merchandise, in Interstate Commerce, in the States of New York, Massachusetts, New Hampshire, and Maine, Over the Following Routes:

Route No. 1.—Between Troy, N. Y., and Bangor, Me., via Boston, Mass., and Portsmouth, N. H.

Route No. 2.—Between Troy, N. Y., and Portland, Me., via Keene, N. H.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner D. C. Dillon for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner D. C. Dillon on the 23rd day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the rooms of the Public Service Commission, Albany, N. Y.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2824—Filed, October 8, 1936; 11:58 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 2nd day of October A. D. 1936.

[Docket No. BMC 50316]

APPLICATION OF ROY JACKSON FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Roy Jackson, an Individual, Doing Business as Lake Champlain Transport Lines, of 18 William Street, Whitehall, N. Y., for a Permit (Form BMC 10, New Operation), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Vermont Granite, Marble, and Slate and Products Thereof, in Interstate Commerce, From and Between Points in the States of New York, New Jersey, Connecticut, and Vermont, Over Irregular Routes.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner D. C. Dillon for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner D. C. Dillon, on the 23rd day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the rooms of the Public Service Commission, Albany, N. Y.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2820—Filed, October 8, 1936; 11:57 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 2nd day of October A. D. 1936.

[Docket No. BMC 50535]

APPLICATION OF LEMUEL O. MORRIS FOR AUTHORITY TO OPERATE
AS A CONTRACT CARRIER

In the Matter of the Application of Lemuel O. Morris, of 104 Quaker Street, Granville, N. Y., for a Permit (Form BMC 10, New Operation), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, From and Between Points in the States of Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner D. C. Dillon for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner D. C. Dillon, on the 23rd day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the rooms of the Public Service Commission, Albany, N. Y.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2821—Filed, October 8, 1936; 11:57 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 2nd day of October A. D. 1936.

[Docket No. BMC 50597]

APPLICATION OF LEWIS R. POMEROY FOR AUTHORITY TO OPERATE
AS A CONTRACT CARRIER

In the Matter of the Application of Lewis R. Pomeroy, of 13 Potter Avenue, Granville, N. Y., for a Permit (Form BMC 10, New Operation), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Slate in Interstate Commerce, Between Points Located in the States of New York, Vermont, Massachusetts, New Jersey, Connecticut, and Pennsylvania, Including but not Limited to, Granville, N. Y., Boston, Mass., Newark, N. J., Hartford, Conn., and Pittsburgh, Pa., Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner D. C. Dillon for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner D. C. Dillon, on the 23rd day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the rooms of the Public Service Commission, Albany, N. Y.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing

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(at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2822—Filed, October 8, 1936; 11:57 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 2nd day of October A. D. 1936.

[Docket No. BMC 50896]

APPLICATION OF JOSEPH ZAMBROSKI FOR AUTHORITY TO OPERATE
AS A COMMON CARRIER

In the Matter of the Application of Joseph Zambroski, of R. F. D., Bergen, N. Y., for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operation), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, From and Between Points in the States of Connecticut, New Jersey, New York, Ohio, Massachusetts, Pennsylvania, and Rhode Island, Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby referred to Examiner D. C. Dillon, for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner D. C. Dillon, on the 18th day of November A. D. 1936 at 10 o'clock a. m. (standard time), at the Hotel Buffalo, Buffalo, N. Y.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2823—Filed, October 8, 1936; 11:58 a. m.]

[Fourth Section Application No. 16541]

GASOLINE FROM SUPERIOR, WIS.

OCTOBER 8, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Chicago, Milwaukee, St. Paul and Pacific Railroad Company.

Commodity involved: Gasoline, in tank cars, carloads.

From: Superior, Wis.

To: St. Paul, Minneapolis, Minnesota Transfer, St. Louis Park, Hopkins, South St. Paul, North St. Paul, and Camden Place, Minn.

Grounds for relief: Potential pipe line competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this

notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 2825—Filed, October 8, 1936; 11:58 a. m.]

NATIONAL LABOR RELATIONS BOARD.

[Case No. C-41]

IN THE MATTER OF INTERNATIONAL HARVESTER COMPANY AND
LOCAL UNION NO. 57, INTERNATIONAL UNION, UNITED AUTO-
MOBILE WORKERS OF AMERICA

NOTICE OF HEARING

Please take notice that pursuant to authority vested in the National Labor Relations Board under an Act of Congress (49 Stat. 449) a hearing will be held before the National Labor Relations Board on Friday, October 16, 1936, at 2 p. m., in Room 406, Denrike Building, 1010 Vermont Avenue NW., Washington, D. C., for the purpose of oral argument in the above entitled matter.

You may appear and be heard if you so desire.

Dated, October 7, 1936.

[SEAL]

B. M. STERN,
Assistant Secretary.

[F. R. Doc. 2816—Filed, October 7, 1936; 2:39 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

SECURITIES ACT OF 1933

[Release No. 1071]

AMENDMENT TO RULE 320 AND ADOPTION OF RULE 326

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly Sections 3 (b) and 19 (a) thereof, and finding that the amendment and adoption of all Rules hereby amended or adopted is necessary to carry out the provisions of the Act, and is necessary and appropriate in the public interest and for the protection of investors, hereby takes the following action:

I. Rule 320 is hereby amended by deleting the entire text thereof following the caption thereof, and by inserting therein, at the end of the caption thereof, the text as herein-after set forth.

The text of the Rule, as amended, reads as follows:

RULE 320. Requirements for Relief from Liability for Non-registration.—No offeror shall be relieved from any liability which, in the absence of the exemption provided by Regulation B, would be imposed upon him because the security offered was unregistered, unless Rules 321 to 325, inclusive, and Rules 330 and 331 are complied with, except that:

(a) In the case of a sale to a person regularly engaged in the business of exploring for or producing oil or gas, compliance with Rules 321 to 325, inclusive, and Rules 330 and 331 shall not be required.

(b) In the case of a sale to a person duly registered as a dealer under Section 15 of the Securities Exchange Act of 1934, as amended, who is resident, or, if a partnership or corporation, maintains a bona fide place of business, within the same state or territory within which the oil or gas property involved in such sale is located, compliance with Rules 321 to 325, inclusive, and Rules 330 and 331 shall not be required.

(c) In the case of a sale to a person duly registered as a dealer under Section 15 of the Securities Exchange Act of 1934, as amended, who is not resident, or, if a partnership or corporation, does not maintain a bona fide place of business, within the same state or territory within which the oil or gas property involved in such sale is located, compliance with Rules 321 to 325, inclusive, and Rules 330 and 331 shall not be required, provided and upon condition that the requirements of Rule 326 are complied with in respect of sales concluded on or after October 15, 1936.

(d) In the case of a sale to a corporation or trust, not registered as a dealer under Section 15 of the Securities Exchange Act of 1934, as amended, the assets of which consist principally of oil or gas rights, and stock or certificates of interest or participation in which are at the time registered under the Securities Act of

1933, as amended, compliance with Rules 321 to 325, inclusive, and Rules 330 and 331 shall not be required, provided and upon condition that the requirements of Rule 326 are complied with in respect of sales concluded on or after October 15, 1936.

II. A new Rule reading as follows is hereby adopted, incorporated in Regulation B, and designated as Rule 326:

RULE 326. Filing of Report of Sale on Form 2-G.—In every case in which compliance with this Rule is required by Sub-divisions (c) or (d) of Rule 320, the offeror making the sale in question shall, not later than fifteen (15) days after the conclusion of the contract for the sale of the interest, file with the Commission a written report of such sale on Form 2-G, which report of sale shall be kept confidential, unless the Commission shall order otherwise.

III. This amendment of Rule 320, and the adoption of Rule 326, shall become effective October 7, 1936.

The Securities and Exchange Commission finding that the requirements of Form 2-G for reports of sales of oil or gas rights are necessary to carry out the provisions of Section 3 (b) of the Securities Act of 1933, as amended, and Regulation B of the General Rules and Regulations of the Commission thereunder, pursuant to authority conferred upon it by said Section 3 (b) and Section 19 (a) of the Act hereby adopts Form 2-G.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2827—Filed, October 8, 1936; 12:55 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of October A. D. 1936.

[File No. 31-60]

IN THE MATTER OF THE APPLICATION OF NORTHERN INDIANA PUBLIC SERVICE COMPANY

ORDER RESCINDING ORDER FOR HEARING

An order having been issued by the Commission on the 22nd day of September 1936,¹ setting a time and place at which a hearing shall be held on the application of Northern Indiana Public Service Company, pursuant to Section 3 (a) (2) of the Public Utility Holding Company Act of 1935, for exemption from the registration provisions of said Act, and designating Charles S. Lobingier, an officer of the Commission, to preside at such hearing, and

It now appearing to the Commission that the hearing on said application should be postponed until it shall have passed upon a certain application filed by the Chicago District Electric Generating Corporation for an order declaring such corporation not to be a subsidiary company of said Northern Indiana Public Service Company; and, counsel for the applicant herein having consented to such adjournment or postponement:

It is ordered, that the aforesaid order dated the 22nd day of September 1936, setting a time and place for the hearing on such application of Northern Indiana Public Service Company, and designating Charles S. Lobingier, an officer of the Commission, to preside at such hearing, be and the same hereby is rescinded.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2828—Filed, October 8, 1936; 12:55 p. m.]

United States of America Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of October A. D. 1936.

¹ 1 F. R. 1659.

[File No. 31-34]

IN THE MATTER OF THE APPLICATION OF RIVERSIDE TRACTION COMPANY

ORDER RESCINDING ORDER FOR HEARING

An order having been issued by the Commission on the 22nd day of September 1936,¹ setting a time and place at which a hearing shall be held on the application of Riverside Traction Company, pursuant to Section 3 (a) (1) of the Public Utility Holding Company Act of 1935, for exemption from the registration provisions of said Act, and designating Charles S. Lobingier, an officer of the Commission, to preside at such hearing, and

Counsel for Riverside Traction Company having advised the Commission that it desires to have said hearing postponed until a later date;

It is ordered, that the aforesaid order dated the 22nd day of September 1936, setting a time and place for the hearing on such application of Riverside Traction Company, and designating Charles S. Lobingier, an officer of the Commission, to preside at such hearing, be and the same hereby is rescinded.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2829—Filed, October 8, 1936; 12:55 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PURE OIL CO.—R. L. WELLS #47 FARM, FILED ON AUGUST 15, 1936, BY P. R. KNICKERBOCKER, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding:²

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 5, 1936, be effective as of October 5, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2831—Filed, October 8, 1936; 12:56 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF AN OVERRIDING INTEREST IN THE NICHOLS-MCKEEHAN FARM, FILED ON SEPTEMBER 18, 1936, BY J. NICHOLS, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the

subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;¹

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 5, 1936, be effective as of October 5, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2832—Filed, October 8, 1936; 12:56 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SHELL-PLOOG FARM, FILED ON OCTOBER 2, 1936, BY L. H. WITWER, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that Item 3, Division III, does not fully explain how the estimated thickness of saturated formation over the Raymond field was determined.

(2) In that Item 3, Division III, does not explain the 73% factor for the probable amount that would be produced in the Ploog pool.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 6th day of November 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that John H. Small, an officer of the Commission, be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 22nd day of October 1936 at 10:00 o'clock in the forenoon at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2830—Filed, October 8, 1936; 12:55 p. m.]

¹ F. R. 1695.¹ F. R. 1660.² F. R. 976, 1400.

THE NATIONAL ARCHIVES.

[Memorandum No. A-48]

OCTOBER 7, 1936.

To All Employees of The National Archives and Others Concerned:

Subject: Designation of persons authorized to authenticate and attest copies or reproductions of archives or records in the custody of the Archivist of the United States.

Whereas Public—No. 756—74th Congress, approved June 22, 1936, entitled "An Act to amend section 8 of the Act entitled 'An Act to establish a National Archives of the United States Government, and for other purposes', approved June 19, 1934" (48 Stat. 1123; U. S. C., title 40, sec. 238) authorizes the Archivist of the United States to make or reproduce and furnish authenticated or unauthenticated copies of any of the documentary, photographic, or other archives or records in his custody that are not exempt from examination as confidential or protected by subsisting copyright, and provides further:

When any such copy or reproduction furnished under the terms hereof is authenticated by the official seal of The National Archives and certified by the Archivist of the United States, or in his name

attested by the head of any office or the chief of any division of The National Archives designated by the Archivist with such authority, it shall be admitted in evidence equally with the original from which it was made.

And, Whereas, Thad Page, as Administrative Secretary of The National Archives, is the head of an office within the meaning of the language of said amendment,

And, Whereas, James D. Preston, Assistant Administrative Secretary of The National Archives, has heretofore been empowered by me to serve as the Acting Administrative Secretary thereof in the absence or inability of the said Administrative Secretary,

Now, Therefore, I, R. D. W. Connor, as Archivist of the United States, do hereby empower the said Thad Page, as Administrative Secretary of The National Archives, for me and in my name to authenticate and attest copies or reproductions of archives or records in my official custody that shall be furnished under the terms of said amendment. And I do, further, expressly empower the said James D. Preston, when serving as Acting Administrative Secretary of The National Archives to authenticate and attest any such copies or reproductions in the manner aforesaid.

[SEAL]

R. D. W. CONNOR,
Archivist of the United States.

[F. R. Doc. 2817—Filed, October 7, 1936; 2:56 p. m.]